



WEB COPY



Crl.O.P.No.26778 of 2023

Crl.O.P.No.26778 of 2023

C.V.KARTHIKEYAN, J.

The petitioner, seeks anticipatory bail in F.No.DRI/CZU/VIII/48/ENQ-01/INT-34/2023, which is now pending investigation.

2. It is stated that on 13.10.2023 on specific information, the respondent had intercepted a Maruti Swift car bearing Registration No. TN 14 C 1230 proceeding from Vedharanyam to Chennai and found that there were two persons possessed of 11.794 kg of foreign origin smuggled gold valued at more than Rs.9,00,00,000/- (Rupees Nine Crores Only) and cash of more than Rs.57,00,000/- (Rupees Fifty Seven Lakhs Only). The car and another two wheeler had also been seized. Thereafter, statements have been recorded under Section 108 of Customs Act and the two individuals had pointed out to the complexity of the petitioner herein and stated that it was on the instruction and finance given by the petitioner that the entire act of smuggling had taken place.

3. As a matter of fact, they also stated that there were three earlier occasions when similarly gold was smuggled and brought into this Country. The respondent was therefore interested in examining the petitioner herein



Crl.O.P.No.26778 of 2023

and had issued a notice on 01.11.2023 calling upon the petitioner to attend an enquiry on 06.11.2023.

4. It is contention of the learned counsel for the petitioner that this particular notice was received on 07.11.2023. It is further stated that the petitioner had sent a reply stating that he is not involved in the said offence and therefore he is not required to be examined or that statement has to be recorded. But however, specific information is now available with the respondent about the complexity of the petitioner herein. This requires investigation to be done. The option was also there to the petitioner to have appeared on 07.11.2023 in person. But, he had forwarded a written statement. The investigation is at very nascent stage and the entire operation of smuggling of gold will have to be conducted.

5. At this stage, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

11.12.2023

rjr



WEB COPY



Crl.O.P.No.26778 of 2023

C.V.KARTHIKEYAN, J.

rjr

Crl.O.P.No.26778 of 2023

11.12.2023